

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

ROBERT TWYMAN, JR., #147435,	)	
	)	
Petitioner,	)	
	)	
v.	)	CIVIL ACT. NO. 2:06cv833-MEF
	)	
ALABAMA DEPARTMENT	)	
OF CORRECTIONS, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**ORDER**

Now pending before the court is the May 5, 2008, motion to strike the Petitioner's motion for summary judgment (doc. # 60) filed by the respondents. While the Petitioner may have served a copy of a motion for summary judgment on the respondents, no such motion was filed with the court. Accordingly, upon consideration of the motion and for good cause, it is

ORDERED that the motion to strike (doc. # 60) be and is hereby DENIED as moot.

Done this 20<sup>th</sup> day of August, 2008.

/s/Charles S. Coody  
CHARLES S. COODY  
UNITED STATES MAGISTRATE JUDGE